

REMARKS

Amendments to the Specification:

The title of the application has been amended to be more particularly directed to the claimed invention.

The specification has also been amended to provide the requisite priority claim on page 1.

The specification has also been amended to disclose government support for certain aspects of the invention.

The specification has been amended to include material that was originally incorporated by reference. Specifically, the specification has therefore been amended to include the positions of the regions shown in Boissel et al. with reference to SEQ ID NO:2 of the present specification, although it is noted that many of the specific positions were in the original specification, for example, in Example 2. The requisite declaration executed by the below-signed agent is also enclosed herewith, which states that the amendatory material consists of the same material incorporated by reference into the specification. The original citation to Boissel et al. is found, for example, on page 9, line 19; and page 35, lines 20-23, and this publication is incorporated by reference on page 57, line 20.

Amendments to the Claims:

This application is a continuation of U.S. Patent Application Serial No. 10/400,377, which is a divisional of U.S. Patent Application Serial No. 09/462,941. Original Claims 1-23 have been cancelled without prejudice to or disclaimer of the subject matter therein, and new Claims 24-46 have been added. Claims 24-46 are directed to cysteine variants (cysteine insertions) of erythropoietin (EPO), which correspond to non-elected subject matter from U.S. Patent Application Serial No. 09/462,941.

To expedite prosecution, Claims 24-46 have been presented in a format that is similar to the format for allowed claims in U.S. Patent Application Serial No. 09/462,941. Support for the addition of functional language to the claims is found in the specification on page 36, lines 11-22, for example. The claim amendments do not add any new matter.

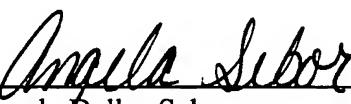
Sequence Listing:

Pursuant to 37 CFR § 1.825(a) and (b) and §1.821(f), Applicants' agent hereby asserts that the content of the computer readable form of the Sequence Listing of SEQ ID NO:1 through SEQ ID NO:41 of the present application, a paper copy of which is filed herewith, is identical to the computer readable form of the Sequence Listing in U.S. Patent Application Serial No. 10/400,377, filed March 26, 2003 and U.S. Patent Application Serial No. 09/462,941, filed January 14, 2000. In accordance with 37 CFR 1.821(e), please use the compliant computer readable form from either of U.S. Patent Application Serial No. 10/400,377 or U.S. Patent Application Serial No. 09/462,941 as the computer readable form for the instant application. It is understood that the Patent Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:



Angela Dallas Sebor
Registration No. 42,460
1560 Broadway, Suite 1200
Denver, CO 80202-5141
(303) 863-9700

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